## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

DYSON TECHNOLOGY LIMITED and DYSON, INC.,	)	
Plaintiffs, v.	) ) )	C.A. No. 05-434-GMS
MAYTAG CORPORATION,	)	
Defendant.	)	

### PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

Plaintiffs Dyson Technology Limited and Dyson, Inc. (collectively, "Dyson") hereby move pursuant to Federal Rule of Civil Procedure 65(a) for an Order enjoining defendant Maytag Corporation, pending the final hearing and determination of this action, from making, using, selling, offering to sell and/or importing the Hoover Fusion vacuum cleaner in the United States, and for such other and further relief as this Court deems just and proper. The grounds for this motion are fully set forth in the following documents, filed herewith: (1) Plaintiffs' Opening Brief in Support of Their Motion for a Preliminary Injunction; (2) Affidavit of James Dyson, sworn to July 22, 2005; (3) Affidavit of Jeffrey Hyman, sworn to July 22, 2005; and (4) Affidavit of Gareth Evan Lyn Jones, sworn to July 25, 2005.

063753.1002 WP3:1132375.3

WHEREFORE Dyson respectfully requests that the Court enter the attached order granting this motion for a preliminary injunction.

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July 29, 2005

Attorneys for Plaintiffs

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United States District Judge

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DYSON TECHNOLOGY LIMITED and DYSON, INC.,	)	
Plaintiffs, v.	) C.A. No. 05-434-GMS	
MAYTAG CORPORATION,	)	
Defendant.	) )	
[PROPOSED] ORDER		
At Wilmington this	day of, 2005, having considered	
Plaintiffs' Motion for a Preliminary Injunc	tion, and the parties' arguments and papers thereon, IT	
IS HEREBY ORDERED that the motion is	s granted as follows:	
Maytag Corporation, its off	ficers, directors, employees, agents, and affiliates, and	
all other persons who receive actual notic	ce of this order by personal service or otherwise and	
who are acting in concert or participation	with Maytag Corporation and its officers, directors,	
employees, agents, and affiliates, are enjoy	pined, pending the final hearing and determination of	
this action, from making, using, selling, o	offering to sell and/or importing the Hoover "Fusion"	
vacuum cleaner in the United States.		

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#### **CERTIFICATE OF SERVICE**

I, Glenn C. Mandalas, hereby certify that on July 29, 2005, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Francis DiGiovanni, Esquire CONNOLLY BOVE LODGE & HUTZ LLP The Nemours Building – 8th Floor 1007 N. Orange Street Wilmington, Delaware 19801

I further certify that on July 29, 2005, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following in the manner indicated:

### BY FEDERAL EXPRESS

Ray L. Weber, Esquire Laura J. Gentilcore, Esquire RENNER, KENNER, GREIVE, BOBAK, TAYLOR & WEBER 400 First National Tower Akron, OH 44308

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